

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 ACDA-07 IO-13 TRSE-00 CIAE-00
DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00 NSC-05
PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-05 CU-04
FEA-01 OMB-01 EB-08 NRC-05 OES-07 ERDA-05 /115 W
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FM AMEMBASSY BERLIN
TO SECSTATE WASHDC 5564
INFO AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
USMISSION NATO
AMEMBASSY PARIS
USMISSION USBERLIN

C O N F I D E N T I A L SECTION 01 OF 02 BERLIN 07172

E.O. 11652: GDS
TAGS: PFOR, PGOV, GE, GW
SUBJECT: SECOND ROUND OF FRG-GDR SOUNDINGS

REF: BONN 13597

SUMMARY: THE FRG PERMREP HERE HAS PROVIDED US WITH AN
ACCOUNT OF WHAT KOHL SAID AT THE SECOND KOHL-WISCHNEWSKI
SOUNDING, BUT DID NOT INDICATE WHAT WISCHNEWSKI SAID.
KOHL RAISED QUESTIONS OF "PRINCIPLE" - NATIONALITY AND
CITIZENSHIP, AS WELL AS PRACTICAL ITEMS SUCH AS HUMANI-
TARIAN ISSUES, TRANSIT PROJECTS, ENERGY PROJECTS, AND
VARIOUS AGREEMENTS NEGOTIATION OF WHICH ARE NOW STALLED.
WITHOUT ANY INDICATION OF WILLINGNESS TO COMPROMISE. HE
REFUSED TO DISCUSS HUMANITARIAN AND BERLIN ISSUES. IN
GENERAL, THE PERMREP THINKS THE SECOND SOUNDING WAS
SOMEWHAT "SHARPER" THAN THE FIRST ONE. END SUMMARY.

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1. FRG PERMREP DEPUTY CHIEF BRAEUTIGAM PROVIDED US
SEPT. 7 WITH THE FOLLOWING ACCOUNT OF THE SEPT 2 SECOND
KOHL-WISCHNEWSKI SOUNDING, WHICH LASTED THREE HOURS.
ALTHOUGH WISCHNEWSKI DESCRIBED THE SECOND SOUNDING AS
"CONSTRUCTIVE", ACCORDING TO BRAEUTIGAM THE FRG MISSION
HERE CHARACTERIZES IT AS "NOT UNFRIENDLY" AND "A LITTLE

SHARPER THAN THE FIRST TIME". BRAEUTIGAM NOTED THAT KOHL EXPRESSED SOME IMPATIENCE ON POINTS WHERE THERE APPEARED TO BE NO SIGNS OF PROGRESS IN THE FRG POSITION.

2. BRAEUTIGAM SAID KOHL HAD TAKEN UP THE GDR NATIONALITY
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ISSUE AGAIN, SUBSUMING SEVERAL ITEMS UNDER THIS GENERAL CATEGORY. KOHL REITERATED THAT THE FRG MUST STOP INTERVENING IN THE MATTER OF THE NATIONALITY QUESTION IN THIRD COUNTRIES. BRAEUTIGAM TOOK THIS TO MEAN THAT THE GDR DID NOT WANT THE FRG TO COUNSEL OR TWIST ARMS IN THIRD COUNTRIES IN CONNECTION WITH GDR EFFORTS TO NEGOTIATE CONSULAR CONVENTIONS WITH OTHER STATES. BRAEUTIGAM ADDED THAT, IN HIS VIEW, THE GDR EXAGGERATED THE FRG'S EFFORTS IN THIS REGARD IN THIRD COUNTRIES. KOHL AGAIN ASKED FOR THE EXTRADITION OF WEINHOLT. THIS IS CONNECTED WITH THE QUESTION OF NATIONALITY SINCE UNDER FRG LAW BONN CANNOT EXTRADITE ANYONE WHO IS A GERMAN. THIRD, KOHL ASKED FOR THE DISSOLUTION OF THE SALZGITTER OFFICE.

3. ANOTHER MATTER OF "PRINCIPLE" WHICH KOHL RAISED WAS THAT OF BONN'S RECOGNITION OF THE FRG-GDR BORDER AS AN INTERNATIONAL BORDER. ACCORDING TO BRAEUTIGAM, THE FRG DOES NOT THINK THE GDR WILL CONTINUE TO INSIST ON RECOGNITION BY BONN OF THIS.
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4. THERE FOLLOWED A DISCUSSION OF A NUMBER OF OTHER ISSUES, INCLUDING NEGOTIATIONS ON THE CULTURAL AGREEMENT; THE SCIENTIFIC AND TECHNOLOGY AGREEMENT; A LEGAL AID AGREEMENT; AND THE MATTER OF NON-COMMERCIAL PAYMENTS. AS EARLIER, KOHL MADE IT CLEAR THAT EAST BERLIN WOULD FOLLOW THE SOVIET LEAD ON THE CULTURAL AND S&T AGREEMENTS. ON NON-COMMERCIAL PAYMENTS, THE GDR IS PREPARED TO LOOK AT ANY FRG FORMULA AS LONG AS IT DOES NOT INVOLVE A LOSS OF HARD CURRENCY. ON THE LEGAL AID AGREEMENT, ALTHOUGH THE GDR CONTINUES TO INSIST ON THE INCLUSION OF A DEFINITION OF NATIONALITY, BONN THINKS THERE MAY BE SOME WAY OF AVOIDING THIS ISSUE IN THE NEGOTIATIONS. BRAEUTIGAM WAS NOT SPECIFIC ON HOW THIS MIGHT BE ACCOMPLISHED. IN GENERAL, HOWEVER, KOHL EXPRESSED READINESS TO NEGOTIATE ON ALL THESE ISSUES, BUT GAVE NO INDICATION OF WILLINGNESS TO COMPROMISE.

5. BRAEUTIGAM SAID KOHL ALSO RAISED A NUMBER OF OTHER ITEMS. THE GDR WAS READY TO REOPEN NEGOTIATIONS ON A VARIETY OF ENVIRONMENTAL PROBLEMS. KOHL APPARENTLY EXPRESSED SOME INTEREST IN A "FRAMEWORK" ENVIRONMENT

AGREEMENT WHICH WOULD PERMIT BOTH SIDES TO ATTACK EXISTING ENVIRONMENTAL PROBLEMS. BRAEUTIGAM ACKNOWLEDGED, HOWEVER, THAT BERLIN'S INCLUSION IN SUCH AN AGREEMENT WAS A SERIOUS PROBLEM.

6. KOHL URGED THAT THE BORDER COMMISSION WIND UP ITS WORK, AND PROPOSED THE SETTING UP OF A WORKING GROUP TO MEET BETWEEN COMMISSION MEETINGS FOR THE PURPOSE OF TRYING TO IRON OUT EXISTING PROBLEMS. BRAEUTIGAM EXPRESSED SOME OPTIMISM THAT THE GDR MIGHT BE WILLING TO PUT THE UN-RESOLVED ELBE RIVER ISSUE TO ONE SIDE IN ORDER TO REACH

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A FORMAL SETTLEMENT. HE SAID THERE WERE ALSO SOME INDICATIONS THE GDR WOULD BE WILLING TO SIGN "AN AGREEMENT" RATHER THAN A "TREATY" ON THE BORDER DELINEATION, WHICH HE SAID WAS THE GDR'S EARLIER POSITION. HE DID NOT DISCUSS THE POSSIBLE LEVEL OR FORMAT FOR SUCH A SIGNING.

7. BRAEUTIGAM SAID KOHL OFFERED TO NEGOTIATE ON TRANSIT MATTERS, INCLUDING THE MARIENBORN BRIDGE; THE REPAIR AND EXPANSION OF THE MARIENBORN-HELMSTEDT AUTOBAHN, AND ON IMPROVED STATISTICS ON A TRANSIT TRAFFIC LUMP SUM PAYMENT. BRAEUTIGAM SAID THE FRG HAS NOT SAID YES YET TO TALKING ABOUT DIFFERENCES IN STATISTICS FOR TRANSIT TRAFFIC, BUT HE THOUGHT THAT EXPERT LEVEL TALKS COULD BEGIN NOW ON

THESE TECHNICAL TRANSIT ISSUES.

8. CONCERNING THE MATTER OF SUPPLYING ENERGY TO WEST BERLIN, THE GDR OFFERED AGAIN TO SUPPLY 300 MEGAWATTS OF POWER TO WEST BERLIN, ADDING THAT THE TALKS COULD TAKE
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PLACE ONLY BETWEEN THE GDR AND THE WEST BERLIN SENATE.
THE GDR ALSO INDICATED ITS READINESS TO TALK ABOUT THE CONSTRUCTION BY THE FRG OF A NEW POWER PLANT BASED ON BROWN COAL WHICH WOULD THEN SUPPLY ELECTRICITY TO THE FRG. KOHL ALSO REITERATED GDR INTEREST IN NEGOTIATING A VETERINARY AGREEMENT WITH BONN, AND IN TALKING ABOUT THE CONDITION OF WATERWAYS BETWEEN WEST BERLIN AND THE FRG.

9. AT THE SAME TIME, KOHL REJECTED FRG "DEMANDS" TO DISCUSS BERLIN PROBLEMS (THE SPANDAU LOCK, TELTOW CANAL, ETC.), ASSERTING THE GDR WOULD NOT DISCUSS THESE ISSUES WITH THE FRG. BRAEUTIGAM SAID MITDANK WAS ATTEMPTING TO SET A NEW DATE FOR TALKS WITH THE WEST BERLIN SENATE ON THESE ISSUES.

10. KOHL REFUSED TO DISCUSS HUMANITARIAN ISSUES (FAMILY REUNIFICATION, LOWERING OF AGE LIMITS FOR TRAVEL, ETC.) OR TO CONTINUE TO DISCUSS THE OUTSTANDING ITEMS IN THE LIST OF 25 "SMALL STEPS". AT THE SAME TIME, ON HUMANITARIAN ISSUES KOHL INDICATED THE GDR WOULD CONTINUE TO HANDLE THEM AS BEFORE. KOHL ALSO DEMANDED THAT THE FRG PERMREP SHOULD STOP GIVING COUNSEL TO GDR CITIZENS IN (EAST) BERLIN ON MATTERS RELATING TO VISITS OR EMIGRATION TO THE FRG. KOHL'S RAISING OF THIS DEMAND HAS CAUSED CONCERN AT THE PERMREP, WHICH THOUGHT THIS WAS NO LONGER A PROBLEM. KOHL AGAIN SUGGESTED THAT THE PERMANENT REPRESENTATIONS OF BOTH STATES SHOULD BE ACCORDED DIPLOMATIC STATUS. HE RAISED THE ISSUE OF THE TREUHANDELSSTELLE, SUGGESTING THAT PAST PRACTICES SHOULD BE ADJUSTED AND THAT TRADE SHOULD BE CARRIED OUT BETWEEN THE TWO STATES IN A "NORMAL WAY", BUT WAS NOT SPECIFIC WHAT THE GDR MIGHT HAVE IN MIND. BRAEUTIGAM ADDED THAT THE FRG HAS NO INTENTION TO CONSIDER ANY MODIFICATION OF THE
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STATUS OF THE TREUHANDELSSTELLE OR THE PERMANENT REPRESENTATIONS. KOHL ALSO COMPLAINED ABOUT RESTRICTIONS ON IMPORTS TO THE FRG FROM THE GDR WHICH THE FRG HAS BEEN IMPOSING FROM TIME TO TIME. THERE APPARENTLY IS NO

BASIS FOR IMPOSING SUCH RESTRICTIONS IN ANY AGREEMENT BETWEEN THE TWO STATES, BUT THE FRG DOES SO WHEN IT HAS REASON TO THINK THE GDR MIGHT BE ENGAGED IN DUMPING PRACTICES. KOHL ALSO COMPLAINED ABOUT THE ENVIRONMENTAL PROBLEM OF WATER SEEPAGE FROM THE FRG INTO GDR POTASH MINES ALONG THE BORDERS, SAYING THIS COULD CAUSE SERIOUS PROBLEMS TO POTASH PRODUCTION AND COULD BE A SAFETY HAZARD FOR GDR MINE WORKERS.

11. ACCORDING TO BRAEUTIGAM, THE SECOND ROUND OF SOUNDINGS INDICATE NO DEGREE OF GDR FLEXIBILITY IN OVERCOMING EXISTING PROBLEMS, WITH THE POSSIBLE EXCEPTION OF THE WORK OF THE BORDER COMMISSION. BRAEUTIGAM THOUGHT THAT NEGOTIATIONS MIGHT TAKE PLACE ON THE VARIOUS TRANSIT PROJECTS BEACUSE IT WAS IN THE INTEREST OF BOTH SIDES TO CARRY THEM THROUGH, WITH IT BEING CLEAR TO THE FRG THAT IT WOULD HAVE TO PAY FOR THE COMPLETION OF THESE PROJECTS. BRAEUTIGAM SAID THERE WOULD BE A THIRD KOHL-WISCHNEWSKI MEETING, ALTHOUGH THE TIMING IS NOT CLEAR. HE THOUGHT IT WAS TOO EARLY TO ASSESS HOW THE SOUNDINGS AND NEGOTIATIONS WOULD PROCEED AFTER THE THIRD KOHL-WISCHNEWSKI MEETING, BUT DID NOT EXCLUDE THE POSSIBILITY THAT THE NEGOTIATIONS ON SPECIFIC ISSUES COULD BE TRANSFERRED TO GAUS IN EAST BERLIN AND THAT WISCHNEWSKI MEETINGS ON OTHER MATTERS COULD TAKE PLACE SIMULTANEOUSLY.
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